

**REMARKS**

Claims 1-7 and 10-18 were presented for examination and were pending in this application.

Applicants thank the Examiner for the telephonic interview of November 9, 2006. The amendments made herein were discussed in that interview.

Applicants amend claims 1, 2, 3, 7, 10, 11, 12, 13, 14, 15, and 18.

The Examiner asked for clarification of the term “resource manager” in claim 1. The Examiner’s main concern was that the claimed resource manager not read on a human being. Applicants have amended claim 1 to specify that the resource manager is a software program. Applicants’ specification states:

Fig. 7(a) is a flow chart showing a relationship between an embodiment of the present customer evaluation method and a **resource management system**, such as that shown in Figs. 1-6.  
Page 51, lines 1-3, emphasis added.

The Examiner asked for clarification of the term “theoretical win. This term is know to persons of ordinary skill in the art and can be found, for example, in other issued patents such as US Patent No. 5,613,9125, US Patent No. 9, 57,776, and many others. Moreover, Fig. 14(a) contains an example of how theoretical wins are determined in an embodiment of the invention (see bracket on right side of Figure). Theoretical win is also called “TW” in applicants’ specification. Applicants’ specification also states:

In one embodiment, the average theoretical win is determined on a property-specific basis. In other words, the same customer gaming behavior will not necessarily result in the same theoretical win if valued for two different casinos (properties).  
(Page 50, lines 11-14).

The Examiner asked for clarification of the term “customer segment.” This term is known to persons of ordinary skill in the art. Applicants’ Fig. 15 shows an example of

determination of a customer segment in an embodiment of the invention. Applicants' specification provides examples of customer segments at, for example, which states:

- **Customer segment:** A subset of customers or potential customers, based on some common characteristic. May include zero or more customers or potential customers. Any number of customer segments may be defined for the set of all customers or potential customers.  
(Page 12, line 18-page 13, line 2).

**Terminal Disclaimer**

Applicants submit a terminal disclaimer disclaiming the term of a patent arising from this application extending past the term of US Patent No. 6, 993,494.

**Conclusion**

Applicants respectfully submit that claims 1-7 and 10-18, as presented herein, patentably distinguish over the cited reference (including references cited, but not applied). Therefore, Applicants request reconsideration and allowance of these claims.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

RESPECTFULLY SUBMITTED,  
DAVID P. KOWAL, JOHN J.  
BOUSHY AND TIMOTHY J.  
WILMOTT

Date: November 17, 2006

By: /Laura A. Majerus/

Laura A. Majerus, Reg. No. 33,417  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Phone: (650) 335-7152  
Fax: (650) 938-5200